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August 3, 2011

**VIA ECF FILING AND
OVERNIGHT MAIL**

The Honorable Robert E. Gerber
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

Re: In re Motors Liquidation Company, et al.
Case No. 09-50026

Dear Judge Gerber:

King & Spalding LLP is counsel to General Motors LLC ("**New GM**") in the above-referenced bankruptcy cases. The Court has scheduled a hearing for September 26, 2011 to hear argument on the relief requested in various pleading filed by Mr. Billy Ray Kidwell.

As referenced in the pleadings, Mr. Kidwell had commenced litigation against New GM in the United States District Court for the Middle District of Florida ("**Florida District Court**"). In connection with that litigation, Mr. Kidwell has appealed various orders entered by the Florida District Court to the United States Court of Appeals for the Eleventh Circuit ("**Eleventh Circuit**"). On July 14, 2011, the Eleventh Circuit entered an Order ("**July 14 Order**") denying Mr. Kidwell's motion for reconsideration of a previous Order entered by the Eleventh Circuit (dated May 4, 2011), that dismissed Mr. Kidwell's appeal of certain identified Orders entered by the Florida District Court. A copy of the July 14 Order (and accompanying letter) is enclosed herewith.

In addition, by letter dated July 14, 2011 ("**July 14 Letter**"), the Eleventh Circuit notified Mr. Kidwell that the July 14 Order rendered moot his *Motion for Independent Medical Exam to Prove Court's Refusal to Appoint Counsel Endangers the Life of Appellant*. A copy of the July 14 Letter is enclosed herewith.

Honorable Robert E. Gerber
August 3, 2011
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Moreover, by Order entered on July 22, 2011 ("**July 22 Order**"), the Eleventh Circuit denied various other motions filed by Mr. Kidwell. Specifically, the Eleventh Circuit denied (i) Mr. Kidwell's motion to proceed on appeal *in forma pauperis*; (ii) Mr. Kidwell's motions for appointment of counsel and stay of proceedings, and a motion for an independent medical examination; and (iii) Mr. Kidwell's motion for *Court Instructions as to Any Actions that Need to be Taken by Plaintiff for Appeal and Any Deadlines*. A copy of the July 22 Order is enclosed herewith.

Respectfully submitted,

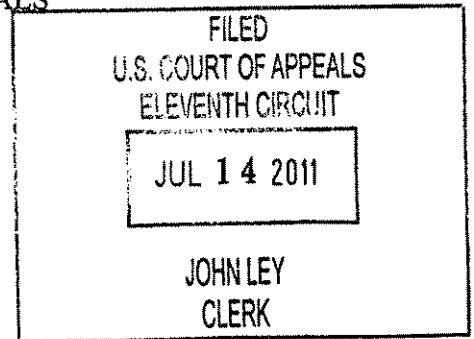

Arthur Steinberg

cc: Mr. Billy Ray Kidwell
5064 Silver Bell Drive
Port Charlotte, Florida 33948

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-11205-I



BILLY R. KIDWELL,

Plaintiff - Appellant,

versus

G. RICHARD WAGONER, GM CEO sued in a personal capacity,
PERCY N. BARMEVIK, GM Board of Directors sued in a personal capacity,
ERSKINE B. BOWLES, GM Board of directors sued in a personal capacity,
JOHN H. BRYAN, GM Board of Directors sued in a personal capacity,
ARMANDO M. CODINA, GM Board of Directors sued in a personal capacity, *et al.*,

Defendants - Appellees.

Appeal from the United States District Court
for the Middle District of Florida

Before HULL, WILSON, and MARTIN, Circuit Judges.

BY THE COURT:

Appellant's May 25, 2011, motion for reconsideration of our May 4, 2011, order
dismissing this appeal for lack of jurisdiction, is DENIED.

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

July 14, 2011

Billy R. Kidwell
5064 Silver Bell Drive
Port Charlotte, FL 33948

Appeal Number: 11-11205-I
Case Style: Billy Kidwell v. G. Wagoner, et al
District Court Docket No: 2:09-cv-00108-CEH-DNF

The following action has been taken in the referenced case:

The enclosed order has been ENTERED. NO FURTHER ACTION WILL BE TAKEN ON
THIS APPEAL.

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed
to the clerk.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Gloria M. Powell, I
Phone #: (404) 335-6184

MOT-2 Notice of Court Action

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

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July 14, 2011

Billy R. Kidwell
5064 Silver Bell Drive
Port Charlotte, FL 33948

Appeal Number: 11-11205-I
Case Style: Billy Kidwell v. G. Wagoner, et al
District Court Docket No: 2:09-cv-00108-CEH-DNF

The following filed motion has been rendered moot by a dispositive order or opinion of this court dated JULY 14, 2011.

Motion for Independent Medical Exam to Prove Court's Refusal to Appoint
Counsel Endangers the Life of Appellant

Sincerely,

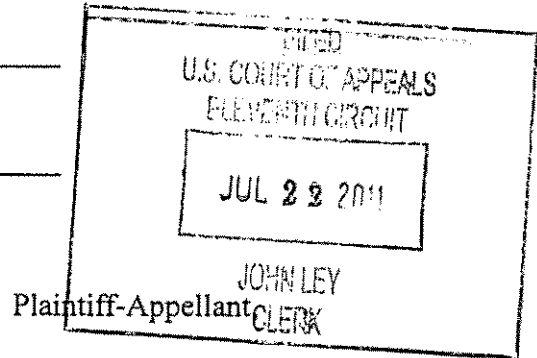
JOHN LEY, Clerk of Court

Reply to: Gloria M. Powell, I
Phone #: (404) 335-6184

MOT-11 Letter Re Moot Motion

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 10-14773-C



BILLY R. KIDWELL,

versus

G. RICHARD WAGONER,
GM CEO sued in a personal capacity,
PERCY N. BARMEVIK,
GM Board of Directors sued in personal capacity,
ERSKINE B. BOWLES,
GM Board of directors sued in a personal capacity,
JOHN H. BRYAN,
GM board of directors sued in a personal capacity,
ARMANDO M. CORDINA,
GM board of directors sued in a personal capacity, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida

ORDER:

Kidwell is appealing the district court's Fed.R.Civ.P. 12(b)(6) dismissal of his amended *pro se* complaint, in which he claimed that the defendants violated the Racketeer Influenced and Corrupt Organizations Act ("RICO"), as well as his state and federal rights, by selling and refusing to repair a defective truck. Kidwell's motion for leave to proceed on appeal *in forma pauperis* is DENIED AS MOOT because he already has paid the appellate filing fee. Kidwell's motions for appointment

of counsel and stay of proceedings, and “Independent Medical Exam to Prove Court’s Refusal to Appoint Counsel Endangers the Life of Appellant,” are DENIED because he has not alleged exceptional circumstances to warrant the appointment of counsel. Kidwell’s motion for “Court Instructions as to Any Actions That Need to be Taken by Plaintiff for Appeal and Any Deadlines” is also DENIED because the Clerk already apprises all litigants of the relevant filing deadlines.

/s/ Rosemary Barkett
UNITED STATES CIRCUIT JUDGE